

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION and

THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES,
Attorney General of the State of New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a limited
liability company;

PREVAGEN, INC., a corporation
d/b/a SUGAR RIVER SUPPLEMENTS;

QUINCY BIOSCIENCE
MANUFACTURING, LLC, a limited liability
company;

MARK UNDERWOOD, individually and as
an officer of QUINCY BIOSCIENCE
HOLDING COMPANY, INC., QUINCY
BIOSCIENCE, LLC, and PREVAGEN, INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

**DECLARATION OF GLENN T.
GRAHAM IN SUPPORT OF QUINCY'S
REQUEST FOR A PRE-MOTION
CONFERENCE, OR FOR AN ORDER
COMPELLING PLAINTIFFS TO
PROVIDE SUPPLEMENTAL
RESPONSES TO INTERROGATORIES
AND REQUESTS FOR ADMISSIONS**

I, Glenn T. Graham, declare as follows:

1. I am a member of the Bars of the States of New York and New Jersey, and am special counsel with the law firm of Kelley Drye & Warren LLP. I submit this declaration in support of defendants Quincy Bioscience Holding Company, Inc., Quincy Bioscience, LLC, Prevagen, Inc., and Quincy Bioscience Manufacturing, LLC's (collectively "Quincy" or "Defendants") request for a pre-motion conference or for an Order compelling plaintiffs the

Federal Trade Commission (“FTC”) and the People of the State of New York, by Letitia James, Attorney General of the State of New York (“NYAG”) (collectively “Plaintiffs”) to provide supplemental responses to certain of Defendants’ Interrogatories and Requests for Admissions (“RFAs”) within ten (10) days.

2. On September 14, 2020, Plaintiffs jointly served their Responses and Objections to Defendants’ Second Set of Interrogatories. Attached hereto as **Exhibit A** is a true and correct excerpted copy of Plaintiffs’ Responses and Objections to Defendants’ Second Set of Interrogatories.

3. On September 30, 2020, Plaintiffs jointly served their Responses and Objections to Defendants’ Requests for Admission. Attached hereto as **Exhibit B** is a true and correct copy of Plaintiffs’ Responses and Objections to Defendants’ RFAs.

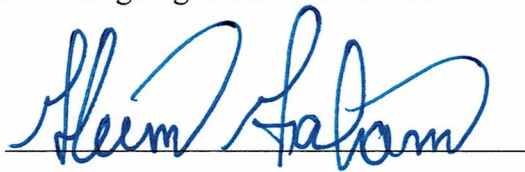
4. On October 5, 2020, Quincy served Plaintiffs with a discovery deficiency letter addressing deficiencies in Plaintiffs’ Responses and Objections to Defendants’ Second Set of Interrogatories. The parties subsequently met and conferred concerning Plaintiffs’ Responses and Objections to both Defendants’ Second Set of Interrogatories and Defendants’ RFAs.

5. On November 2, 2020, counsel for the FTC informed Defendants via email that Plaintiffs did not intend to modify their responses to Defendants’ Second Set of Interrogatories or their responses to Defendants’ RFAs.

6. I certify that Defendants have in good faith conferred with Plaintiffs in an effort to obtain full and complete responses to Defendants’ Second Set of Interrogatories and Defendants’ RFAs without court action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 12, 2020.



GLENN T. GRAHAM